Mr. SPEAKER.—The question is:

"That under rule 88 of the Rules of Procedure and Conduct of Business in the Legislative Assembly further consideration of the Bill may be taken up tomorrow."

*The motion was adopted.*

## MYSORE STAMP (AMENDMENT) BILL, 1953.

*Motion to consider.*

Sri H. SIDDAVEERAPPA (Minister for Home and Industries).—Sir, I beg to move:

"That the Mysore Stamp (Amendment) Bill, 1953, be taken into consideration."

It is an important measure and at the same time there is not much contention about it. I pray that it may be passed.

Sri K. PATTABHIRAMAN (Kolar).—You have said:

"In Article 23-A of Schedule I-A to the Mysore Stamp Act, 1900, the paragraph relating to Exemption from the said Article shall be omitted and shall always be deemed to have been omitted."

That is the amendment. You have said: "shall be omitted and shall always be deemed to have been omitted." Before we make up our minds on the proposed amendment of Sri R. Anantaraman, I would like to know the implication of those words.

Sri H. SIDDAVEERAPPA.—On the advice of the High Court it is now proposed to make that amendment.

Sri K. PATTABHIRAMAN.—What is the effect of that? I will make myself clear. The amending Bill.....

Mr. SPEAKER.—Why not you do it when the amendment is taken up?

Sri K. PATTABHIRAMAN.—If the implication is made clear, possibly we may not object at all. But if I know that the implication is what I have in my mind, I may oppose the very Bill.

Sri KADIDAL MANJAPPA (Minister for Revenue and Public Works).—It should have retrospective effect. That is the implication.

Mr. SPEAKER.—Are you convinced?

Sri K. PATTABHIRAMAN.—Yes, Sir.

Mr. SPEAKER.—Motion moved:

"That the Mysore Stamp (Amendment) Bill, 1953, be taken into consideration."

*Sri J. MOHAMED IMAM.—(Jagalur).—It is with immense pleasure that I support this Bill. I will support all measures which aim at the enhancement of the prestige of the State and which will really do justice and I must pay a compliment to the Government and the Ministers concerned that they have found this humiliating position and that they have tried to rectify this. Till now our Advocates were in a humiliating position. Whereas the Advocates of other High Courts could come and freely practice here, the Advocates of the Mysore High Court could not appear in any other High Court. It was really a sad state of affairs and I am glad the Government have realised this and they have tried to rectify this, and I welcome this measure.

I may also state whether it should have a retrospective effect or not. There is difference of opinion. We will come to it when we take up Sri Anantaraman's amendment. I want to point out another thing. India is one and the same. All the High Courts are subjected to the Indian Constitution and I think an Advocate of one High Court should be in a position to practise in any other High Court in India and I believe some such provision is being made in the Centre. Anyhow it is a healthy measure and I welcome this.

Mr. SPEAKER.—The question is:

"That the Mysore Stamp (Amendment) Bill, 1953, be taken into consideration."

*The motion was adopted.*

Mr. SPEAKER.—Clause 2. There is an amedment tabled by Sri R. Anantaraman in respect of clause 2.

Sri R. ANANTARAMAN (Chamarajpet).—Sir, I beg to move:

"That in clause 2 the words 'and shall always be deemed to have been omitted' shall be deleted."

According to section 2 in Article 23-A of Schedule I-A to the Mysore Stamp Act, 1900, the paragraph relating to exemption from the said Article shall be omitted and shall always be deemed to have been omitted. What does it exactly mean? Will it have retrospective effect?

Sri KADIDAL MANJAPPA.—That is what I have said.

Sri R. ANANTARAMAN.—Supposing an Advocate from Bombay Province has been already enrolled as an Advocate of Mysore High Court. If he wants to appear before this High Court, he will have to pay the Stamp fee now.

Sri KADIDAL MANJAPPA.—Evidently.

Sri R. ANANTARAMAN.—What about the Advocates who have already been enrolled? They have to pay now again. I recommend, therefore, that it shall not be given any retrospective effect. Let us be charitable to those who are practising outside the State.

Mr. SPEAKER.—Amendment moved:

"That the words 'and shall always be deemed to have been omitted' shall be deleted."

Sri S. SRINIVASA IYENGAR (T.-Narsipur).—I beg to oppose the amendment moved by my friend Sri R. Anantaraman. The law is very clear. It is intended to delete that exception. Most of the Advocates coming from outside have been enrolled on the lists of the High Court of Mysore. But our Advocates when they go to practise in the High Courts of other provinces, without payment of the prescribed fee they will never be permitted to appear before the High Courts. It is a humiliating position. It is but right that our State collects that enrolment fee from the Advocates who come from outside. So, the law as such is perfectly justified and it should have retrospective effect. The amendment should not be accepted.

Sri M. LINGANNA (Nanjangud).—In support of the amendment, I would like to place a few facts. No doubt, the Leader of the Opposition and Sri Srinivasa Iyengar have stressed some aspects of the problem. It is because that our advocates from Mysore cannot practice in Bombay or Madras High Courts without paying enrolment fees that we have to adopt the same measure here. No doubt, the idea is laudable. But if we are going to accept the amendment as it is moved by the Hon'ble Minister, it looks as if we are revengeful in our attitude. What I wish to say is this. There are several advocates from Bombay and Madras whose names are already on the lists of advocates practising before the High Court of Mysore. Of course, the advocates of Mysore State are bound by certain procedure and will have to enrol themselves as advocates after paying a fee of Rs. 300. If we are going to accept the amendment moved by the Government, it looks as if we are taking a revengeful action. But any action that we take should be reasonable. Not only that, there should be some rationality in the approach we have to make. There are several eminent advocates like Sri Alladi Krishnaswamy Iyer and others who are already on the list of advocates practising before the High Court of Mysore. Certainly, I feel that eminent advocates like Sri Alladi Krishnaswamy Iyer should be

allowed to practice before the High Court of Mysore. Suppose, this amendment of Government is accepted, what would happen? Those advocates also would be forced to enrol themselves as advocates on the lists of advocates practising before the High Court of Mysore. If any new advocates of the High Court of Madras or Bombay were to practise in the High Court of Mysore, it would be quite reasonable to ask them to be enrolled on the lists henceforward. But to ask the advocates whose names are already on the lists and who are already practising in the High Court of Mysore, to enrol is rather not reasonable and it would not be charitable. It would be the most unkindest cut of all. With these few remarks, I support the amendment moved by Sri Anantharaman.

Sri K. PATTABHIRAMAN.—I would like to say a few words under this amendment for the kind consideration and acceptance of the Hon'ble Minister in charge. I think Sri Linganna has put the point very clearly. There is not only charity, but there is some measure of justice tempering it in this whole affair. It is no doubt very laudable that the Government have brought forward this measure. It certainly would earn the entire gratitude of the bar of the State. There was a sense of inferiority in our advocates in so far as the Madras or Bombay advocates enjoy certain rights which our Mysore advocates did not enjoy in those provinces. Certainly, it is an inferiority imposed on the members of the bar here. That only Government should have come forward with this amendment in appreciation of this position and tried to make the rights and privileges of the entire bar uniform is a very great and laudable object. On behalf of the bar, I have very great pleasure in congratulating the Government for bringing forward this measure. At the same time, I would rather ask the Government that it should not be one way. Sri Anantaraman's amendment should be considered favourably. There are some very eminent advocates, particularly from Madras and Bombay, whose names have already entered on the roles of advocates of this High Court. They enjoy privileges under the fiscal laws as obtaining in the State today. They need not pay any court fee now as they are all eminent men. To make these advocates, who have enjoyed these privileges for more than twenty to twenty-five years in the High Court of Mysore without payment then, to enrol themselves by paying three hundred rupees—that I think, is not in the interests of the bar or the State. Surely, the future finances of the Government will certainly be safeguarded. After all this is a fiscal measure and more particularly the interest is not so much of finance that it would certainly bring to the coffers of the State, as of equity, because it will make the rights and privileges of the bar uniform. It is, I believe, with that end in view that the Government have brought forward this legislation. Therefore. I appeal to the Hon'ble Minister and to the House to accept the amendment of Sri Anantaraman and to pass the measure *nem com.*

Sri J. MOHAMED IMAM.—Sir, I would like to know how many advocates have registered themselves in our High Court. Because if every advocate of Bombay or Madras has a right to practice here . . . .

Sri K. PATTABHIRAMAN.—It is more than fifty and most of them very eminent men. Any way it will not be more than fifty. So far as practising advocates are concerned. they may after all be twenty and not more.

Sri KADIDAL MANJAPPA.—Sir, the amendment is proposed in a helpful spirit. The idea is to compel all those persons who hereafter desire to practice here to obtain a *sannad* after paying a sum of three hundred rupees. Now, in view of the discussion, I feel it is a small amount we may receive. Money is not the criterion. I am prepared to accept

(SRI KADIDAL MANJAPPA.)

the amendment moved by Sri R. Anantaraman.

Mr. SPEAKER.—The question is :

"That in Clause 2, the words "and shall always be deemed to have been omitted" shall be deleted."

*The motion was adopted.*

Mr. SPEAKER.—The question is :

"That Clause 2, as amended, stand part of the Bill."

*The motion was adopted.*

Clause 2, as amended, was added to the Bill.

Mr. SPEAKER.—Clause 1. The question is :

"That Clause 1 stand part of the Bill."

*The motion was adopted.*

Clause 1 was added to the Bill.

Mr. SPEAKER.—Title and Preamble. The question is :

"That the Title and Preamble stand part of the Bill."

*The motion was adopted.*

The Title and the Preamble were added to the Bill.

*Motion to pass.*

Sri KADIDAL MANJAPPA.—Sir, I beg to move :

"That the Mysore Stamp (Amendment) Bill, 1953, as amended, be passed."

Mr. SPEAKER.—The question is :

"That the Mysore Stamp (Amendment) Bill, 1953, as amended, be passed."

*The motion was adopted.*

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## MYSORE ALIENATED VILLAGES (PREVENTION OF TENANTS AND MISCELLANEOUS PROVISIONS) (AMENDMENT) BILL, 1953.

*Motion to consider.*

Sri KADIDAL MANJAPPA (Minister for Revenue and Public Works).—Sir, I beg to move :

"That the Mysore Alienated Villages (Prevention of Tenants and Miscellaneous Provisions) (Amendment) Bill, 1953, be taken into consideration."

Sir, it is a simple measure. Hon'ble Members are very well aware of the fact that in 1950, a Bill was passed in this House which gave certain rights and securities of tenure to the tenants cultivating the inam lands. Under Section 1, Clause (3), the Act was in force up to 31st December 1952. As the Legislature was not in Session, an Ordinance had to be promulgated and the Ordinance has been laid on the Table of the House. With the object of further extending the period of the Act for another year, the amending Bill has been brought forward. Only two or three days ago, I have introduced the Bill which provides for the abolition of Inams. Perhaps, it may take some months before the Bill is passed, unless the House decides that it should be passed in this Session itself. Therefore, as a matter of protection, the amending Bill is brought before the House, so that the Bill may be in force for another year.

Mr. SPEAKER.—The question is :

"That the Mysore Alienated Villages (Prevention of Tenants and Miscellaneous Provisions) (Amendment) Bill, 1953, be taken into consideration."

*The motion was adopted.*

Mr. SPEAKER.—Clause 2 and 3. The question is :

"That Clauses 2 and 3 stand part of the Bill."

*The motion was adopted.*